

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

RFM
9/2/08

UNITED STATES OF AMERICA,

Plaintiff,

v.

**FRANKLIN, Crystal Joy
TRYON, Jucorie Shelton**

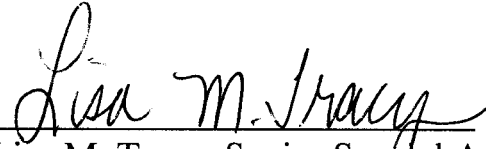
Defendants(s)

) Magistrate Docket No. **FILED**
) Case No. **08 SEP -2 AM 9:57**
) **CLERK, U.S. DISTRICT COURT**
) **SOUTHERN DISTRICT OF CALIFORNIA**
) **COMPLAINT FOR VIOLATION OF:**
) **Title 21 USC** **DEPUTY**
) **Sections 952 & 960**
)
) **Importation of a Controlled Substance**
)
) **(Felony)**
) **'08 MJ 2674**
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The undersigned complainant, being duly sworn, states:

On or about August 30, 2008, within the Southern District of California, DEFENDANTS Crystal Joy FRANKLIN and Jucorie Shelton TRYON did knowingly and intentionally import approximately 59.75 kilograms (131.45 pounds) of Marijuana, a schedule 1 Controlled Substance, in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Lisa M. Tracy, Senior Special Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd DAY OF September, 2008.


UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

I, Special Agent Lisa Tracy, declare under penalty of perjury, the following is true and correct to the best of my knowledge:

On August 30, 2008, at approximately 9:35 pm, Crystal FRANKLIN and Jucorie TRYON entered the United States from the Republic of Mexico, through the San Ysidro, California, Port of Entry. FRANKLIN was the driver and TRYON was the passenger of a 1992 Plymouth Voyager bearing California license 2XJM446. FRANKLIN provided two negative customs declarations and claimed ownership of the vehicle during primary inspection to CBP officer Paulo. A subsequent Border Search of the vehicle resulted in the seizure of 51 packages of marijuana, total weight of 59.75 kilograms (131.45 pounds) concealed in the driver's side quarter panel and the gas tank of the vehicle.

On August 31, 2008, at approximately 2:20 am, FRANKLIN waived her rights per Miranda, and was interviewed. FRANKLIN did not admit knowledge of the Marijuana in the vehicle, but did claim that she knew something was up with the vehicle. FRANKLIN stated that she and TRYON have lived together as boyfriend and girlfriend for about a year. FRANKLIN stated that TRYON talks to those people, not her; she's not allowed to say anything. FRANKLIN claimed that the passenger, TRYON, made all of the arrangements and was to receive all the payments for her part in driving the van. FRANKLIN stated that on Saturday, August 30, 2008, two Hispanic males picked her and TRYON up at their residence in Los Angeles, California, in a vehicle other than the van, and drove them to Mexico. FRANKLIN claimed that she (FRANKLIN) and TRYON were to drive the 1992 Plymouth van from Mexico to the United States and then drop it off at the first U.S. exit. From there, FRANKLIN stated that she and TRYON would be driven home. FRANKLIN also admitted that she and TRYON have driven the same van from Mexico into the United States earlier in August of 2008.

On August 31, 2008, at approximately 4:48 am, Jucorie TRYON waived his rights per Miranda and was interviewed. TRYON did not admit knowledge of the Marijuana in the vehicle. TRYON claimed ownership of the van, stating that he bought it a few weeks ago. TRYON claimed that he and his girlfriend decided to drive the van from Los Angeles, California, to Rosarito, Mexico to party for a few hours. TRYON claimed that he was surprised to find out that there was Marijuana in the van, because he has been driving it and gassing it up for a few weeks and didn't notice anything. CBP Inspectors removed 22 of the 51 packages of Marijuana found in the vehicle from the gas tank. Record checks indicate

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that TRYON previously received a felony conviction for Transportation of a Controlled Substance in the state of California.

Crystal FRANKLIN and Jucorie TRYON were arrested for the unlawful importation of a controlled substance and possession of controlled substance with the intent to distribute, in violation of Title 21, United States Code, Sections 952, 960, and 841(a)(1). FRANKLIN and TRYON were processed and then transported to the Metropolitan Correction Center in San Diego, California.

Executed on August 31, 2008, at 8:05 (a.m./p.m.).


Senior Special Agent Lisa M. Tracy

On the basis of the facts presented in the probable cause statement consisting of _____ pages, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on 08/30/2008, in violation of Title 21, United States Code, Section(s) 952,960

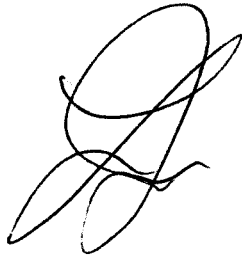
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Senior Special Agent Lisa M. Tracy

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